

HOGAN & HARTSON
L.L.P.

September 27, 2002

DOCKET FILE COPY ORIGINAL

Via hand delivery

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

COLUMBIA SQUARE
555 THIRTEENTH STREET, NW
WASHINGTON, DC 20004-1109
TEL (202) 637-5600
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Ms. Cheryl Parrino
Chief Executive Officer
Universal Service Administrative Company
2120 L Street, NW Suite 600
Washington, DC 20037

SEP 27 2002

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FEDERAL COM.
OFFICE

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: CC Docket No. 96-45
Certifications of Western Wireless Corporation for universal service funds

Dear Ms. Dortch and Ms. Parrino:

Pursuant to 47 U.S.C. § 254(e) and 47 C.F.R. §§ 54.313-314, Western Wireless Corporation is required to file annual certifications with the Federal Communications Commission and the Universal Service Administrator stating that all federal high cost support provided to the company within a given state will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

On behalf of Western Wireless Corporation, I have enclosed four sworn affidavits of Gene DeJordy, Vice President, Regulatory Affairs, attesting to the use of universal service support, in the following states:

- Colorado
- Oklahoma
- Pine Ridge Reservation (in South Dakota)
- South Dakota

Please feel free to contact me at 202-637-6522 if you have questions.

Sincerely,



Angela E. Giancarlo
Counsel for Western Wireless Corporation

Attachments

No. of Copies rec'd 0 + 4
List ABCDE

Colorado

DESIGNATION OF COMMON CARRIERS
AS ELIGIBLE TELECOMMUNICATIONS
CARRIERS (ETC) TO RECEIVE FEDERAL
UNIVERSAL SERVICE FUNDS PURSUANT
TO THE FEDERAL COMMUNICATIONS
COMMISSION'S FOURTEENTH REPORT
AND ORDER ADOPTING A STATE
CERTIFICATION PROCESS

§ FEDERAL
§ COMMUNICATIONS
§ COMMISSION
§ RECEIVED
§

STATE OF WASHINGTON
COUNTY OF KING

SEP 27 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DECLARATION OF GENE DEJORDY

1. My name is Gene DeJordy. My title is Vice President, Regulatory Affairs, Western Wireless Corporation. My business address is 3650 – 131st Ave., S.E., Suite 400, Bellevue, Washington 98006, and my business telephone number is (425) 586-8055.

2. WWC Holding Co. Inc., a wholly-owned subsidiary of Western Wireless Corporation (both referred to as "Western Wireless"), is a commercial mobile radio service ("CMRS") carrier that is not subject to rate and entry regulation by the Colorado Public Utilities Commission pursuant to Section 332(c)(3) of the Communications Act of 1934, as amended. In Colorado, Western Wireless was designated as an eligible telecommunications carrier ("ETC") in portions of non-rural telephone company exchanges and certain rural telephone company study areas by the Colorado Public Utilities Commission, for purposes of receiving federal and state universal service support. See In the Matter of the Application of WWC Holding Co., Inc. for Designation as an Eligible Telecommunications Carrier, Report

and Order, Colorado Docket No. 00K- 255T by order dated January 8, 2001. Section 254(e) of the Communications Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

3. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” *Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); *Federal-State Joint Board on Universal Service*, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001). Western Wireless, therefore, submits the following plan to the FCC and USAC.

4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in Colorado only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.


5. First, Western Wireless will use federal high cost universal service funds to provide universal service.

6. Second, Western Wireless will use federal high cost universal service funds to support the deployment of the facilities used to offer the supported universal service.

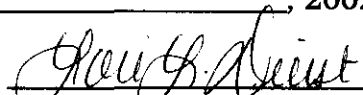
7. Third, Western Wireless will use federal high cost universal service funds to support the upgrading and maintenance of the network facilities to the extent necessary to provide the supported service. To ensure that it provides high-quality service to all universal service customers – particularly customers in remote areas who may be distant from existing Western Wireless cell sites – Western Wireless may need to expand its cellular network facilities, possibly including the installation of additional cell sites, transmitters, and receivers. This is so because universal service customers have higher network usage, coverage, and signal quality requirements.

8. All of the federal high cost universal service funds that Western Wireless receives will be used to support the programs described above. Accordingly, Western Wireless will be in compliance with 47 U.S.C. § 254(e), and the Commission should file a certification letter to that effect pursuant to 47 C.F.R. § 54.313 and § 54.314.

I declare under penalty of perjury that the foregoing is true and correct.


Gene DeJordy

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this the 26th day of September, 2002.


Notary Public

State of Washington

SEAL:



Oklahoma

DESIGNATION OF COMMON CARRIERS	§	FEDERAL
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
UNIVERSAL SERVICE FUNDS PURSUANT	§	
TO THE FEDERAL COMMUNICATIONS	§	COMMISSION
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STATE OF WASHINGTON
COUNTY OF KING

DECLARATION OF GENE DEJORDY

1. My name is Gene DeJordy. My title is Vice President, Regulatory Affairs, Western Wireless Corporation. My business address is 3650 – 131st Ave., S.E., Suite 400, Bellevue, Washington 98006, and my business telephone number is (425) 586-8055.

2. WWC License LLC, a wholly-owned subsidiary of Western Wireless Corporation (both referred to as "Western Wireless"), is a commercial mobile radio service ("CMRS") carrier that is not subject to rate and entry regulation by the Oklahoma Corporation Commission pursuant to Section 332(c)(3) of the Communications Act of 1934, as amended. In Oklahoma, Western Wireless was designated as an eligible telecommunications carrier ("ETC") in certain non-rural telephone company exchanges and rural telephone company study areas by the Oklahoma Corporation Commission, for purposes of receiving federal universal service support. See In the Matter of the Application of WWC License LLC for Designation as an Eligible Telecommunications Carrier, Report and Order, Oklahoma Docket No. 450765 by order dated April 11, 2001. Section 254(e) of the

Communications Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e).

47 C.F.R. § 54.313 -- § 54.314.

3. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” *Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); *Federal-State Joint Board on Universal Service*, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001). Western Wireless, therefore, submits the following plan to the FCC and USAC.

4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in Oklahoma only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

5. First, Western Wireless will use federal high cost universal service funds to provide universal service.

6. Second, Western Wireless will use federal high cost universal service funds to support the deployment of the facilities used to offer the supported universal service.

7. Third, Western Wireless will use federal high cost universal service funds to support the upgrading and maintenance of the network facilities to the extent necessary to provide the supported service. To ensure that it provides high-quality service to all universal service customers – particularly customers in remote areas who may be distant from existing Western Wireless cell sites – Western Wireless may need to expand its cellular network facilities, possibly including the installation of additional cell sites, transmitters, and receivers. This is so because universal service customers have higher network usage, coverage, and signal quality requirements.

8. All of the federal high cost universal service funds that Western Wireless receives will be used to support the programs described above. Accordingly, Western Wireless will be in compliance with 47 U.S.C. § 254(e), and the Commission should file a certification letter to that effect pursuant to 47 C.F.R. § 54.313 and § 54.314.

I declare under penalty of perjury that the foregoing is true and correct.

Gene DeJordy
Gene DeJordy

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this the 26 day of September, 2002.

Lori L. Dierst
Notary Public

State of Washington

SEAL:



Pine Ridge Reservation (in South Dakota)

DESIGNATION OF COMMON CARRIERS	§	FEDERAL
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
UNIVERSAL SERVICE FUNDS PURSUANT	§	
TO THE FEDERAL COMMUNICATIONS	§	COMMISSION
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STATE OF WASHINGTON
COUNTY OF KING

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2. WWC License LLC, a wholly-owned subsidiary of Western Wireless Corporation (both referred to as "Western Wireless"), is a commercial mobile radio service ("CMRS") carrier that is not subject to rate and entry regulation by the South Dakota Public Utilities Commission pursuant to Section 332(c)(3) of the Communications Act of 1934, as amended. On the Pine Ridge Reservation in South Dakota, the Federal Communications Commission ("FCC") designated Western Wireless as an eligible telecommunications carrier ("ETC") for purposes of receiving federal universal service support. See Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier for the Pine Ridge Reservation in South Dakota, Memorandum Opinion and Order, __ FCC Rcd __, FCC 01-284 (rel. Oct. 5, 2001).

3. Section 254(e) of the Communications Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the FCC adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- §54.314.

4. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” *Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); *Federal-State Joint Board on Universal Service*, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001). Western Wireless, therefore, submits the following plan to the FCC and USAC.

5. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area on the Pine Ridge Reservation only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.


6. First, Western Wireless will use federal high cost universal service funds to provide universal service.

7. Second, Western Wireless will use federal high cost universal service funds to support the deployment of the facilities used to offer the supported universal service.

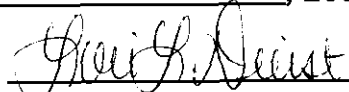
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South Dakota

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3. Section 254(e) of the Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

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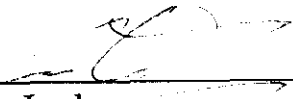
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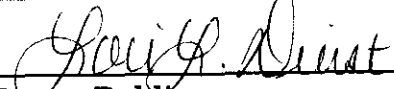
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